

**THE WOODLANDS TOWNSHIP
BOARD OF DIRECTORS
REGULAR BOARD MEETING
OCTOBER 26, 2011
MINUTES**

**THE STATE OF TEXAS §
COUNTIES OF HARRIS & MONTGOMERY §**

The Board of Directors of The Woodlands Township met in regular session, open to the public, on October 26, 2011, posted to begin at 6:00 p.m. The meeting was held in a meeting room at the office of The Woodlands Township, Service Center, 2201 Lake Woodlands Drive, The Woodlands, Texas, within the boundaries of The Woodlands Township.

DIRECTORS PRESENT: Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb, Director Nelda Blair, Director Tom Campbell and Director Peggy Hausman

DIRECTORS ABSENT: None

STAFF/ADVISORS: Don Norrell, President/General Manager, Monique Sharp, Assistant General Manager of Finance & Administration, Fire Chief Alan Benson, Susan Welbes, Director of Human Resources, Miles McKinney, Legislative Affairs & Transportation Manager, Karen Dempsey, Management Analyst, Mary Connell, Community Relations Manager, Mike Page and Bret Strong, Legal Counsel

PLEDGE OF ALLEGIANCE:

Director Campbell led the Pledge of Allegiance to the United States flag and Texas State flag.

CALL TO ORDER:

Chairman Tough called the meeting to order at 6:00 p.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 2201 Lake Woodlands Drive, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

CONSIDER AND ACT UPON ADOPTION OF MEETING AGENDA:

Chairman Tough called for a motion and second to adopt the agenda as presented.

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MOTION: Motion by Secretary Hunter to adopt the agenda as presented; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

RECOGNIZE PUBLIC OFFICIALS:

Chairman Tough recognized the following individuals:

- **Jeff Nelson**-District Coordinator for Senator Tommy Williams
- **Steve Leakey**-President, Alden Bridge Village Association
- **Stuart Schroeder**-President, Cochran's Crossing Village Association
- **Amy Lecocq**-President, Indian Springs Village Association
- **Anthony Fasone**-President, Sterling Ridge Village Association

The Public Official's Sign-In Sheet is attached hereto as Exhibit "A".

PUBLIC COMMENT:

- **Karl Collins, Jim Bird, Rebekah Crawford, Tom Kohl, Zane Brown, O.J. Bobek, Larry Vernier, Ed Hebert**-comments regarding widening of Woodlands Parkway
- **George W. Vinson, Mike Bass, and Nancy McGlothlin**-comments regarding Montfair noise issue
- **Roxanne Miller, James Schrodtt, and Franklin Palmer**-comments regarding CenterPoint Springwoods power transmission line project
- **James Noack**-candidate for Montgomery County Commissioner, Precinct 3
- **Amy Lecocq**-issue before DSC regarding signs that have been placed in store front windows

The Public Comment Roster is attached hereto as Exhibit "B". Handout material is attached hereto as Exhibit "C".

RECEIVE AND CONSIDER THE LAW ENFORCEMENT REPORT:

Marian Leck presented the following law enforcement report:

- Year to date burglaries of habitation, business and building are down 9 percent;
- Year to date auto theft is down 40 percent;
- Year to date burglary of motor vehicles is down 47 percent; and
- Year to date criminal mischief is down 22 percent

Ms. Leck thanked the Montgomery County Sheriff's Office, Harris County Constable's Office and Township residents for working together to make the community a safer place.

RECEIVE AND CONSIDER REPORTS FROM VILLAGE ASSOCIATION (VA) REPRESENTATIVES:

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Reports were provided by the following Village Association (VA) representatives:

Alden Bridge VA-Steve Leakey reported that Sgt. Paul Cassidy gave a law enforcement report; guest speaker was CISD Superintendent, Don Stockton; submitted audit report for 2010-2011; no meeting in December

Cochran's Crossing VA-Stuart Schroeder reported that Doug Adams, Woodlands Professional Fire Fighters' Association made a presentation; submitted 2010-2011 audit report; Sgt. Paul Cassidy gave a law enforcement report; Fall Festival will be held at Shadowbend Park from 1-4 p.m. on Sunday, October 30; working on Holiday Lighting Contest

Indian Springs VA-Amy Lecocq displayed the village's new logo on a T-shirt; Taste of the Village went well; acknowledged the following for their support of the event: H-E-B, Regency, Co-Chairs of the event, Lloyd Matthews and Ron Kostelny and Board members who attended

Sterling Ridge VA-Anthony Fasone presented resident concerns regarding Park and Ride buses idling along McBeth Way and trash accumulating behind a shopping center near McBeth Way; share concern about signs in shop windows; passed a resolution regarding the Montfair noise issue, passed 2012 budget; 2nd annual Haunted House at May Valley Park on Saturday, October 29, 2011

Grogan's Mill VA-No report

College Park VA-No report

Panther Creek VA-No report

Creekside Park VA-No report

The Village Association Representatives' Sign-In Sheet is attached hereto as Exhibit "D".

CONSENT AGENDA:

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

RECEIVE, CONSIDER AND ACT UPON THE CONSENT AGENDA:

Chairman Tough began by reading a proclamation in support of "America Recycles Day".

- (a) Approve minutes of the September 15, 2011 Board Workshop and the September 21, 2011 Regular Board Meeting of the Board of Directors of The Woodlands Township;
- (b) Approve renewal of Service Agreement with South Montgomery County Woodlands Chamber of Commerce Economic Development Partnership;
- (c) Approve renewal of Service Agreement with Leadership Montgomery County;
- (d) Approve addition to contract with BIO Landscape and Maintenance, Inc. regarding Alden Bridge Sports Park 3;
- (e) Approve Sponsorship Agreement with The Woodlands Cycling Club for Cyclocross Races at Terramont Park;
- (f) Adopt "America Recycles Day" proclamation;
- (g) Approve an electronic agenda process

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Chairman Tough then called for a motion and second to approve the Consent Agenda as presented.

MOTION: Motion by Secretary Hunter to approve the Consent Agenda; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

Minutes, Proclamations, and Executive Summaries for Consent Agenda items are attached hereto collectively as Exhibit "E".

BRIEFINGS:

There were no briefings.

REGULAR AGENDA:

RECEIVE, CONSIDER AND ACT UPON THE FINANCIAL REPORT;

Monique Sharp presented the Financial Report for the nine months ended September 30, 2011. After a review of the combined Financial Statements and Monthly Investment Report, a report on the General Fund Budget vs. Actual was presented. Ms. Sharp then reported on sales tax collections, hotel occupancy tax collections, and property tax collections. Board discussion followed. Chairman Tough then called for a motion and second to approve the Financial Report.

MOTION: Motion by Treasurer Robb to approve the Financial Report as presented; second by Director Hausman

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

The Financial Report is attached hereto as Exhibit "F".

RECEIVE, CONSIDER AND ACT UPON A PRESENTATION AND DISCUSSION REGARDING THE CENTERPOINT SPRINGWOODS POWER TRANSMISSION LINE PROJECT;

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Miles McKinney provided an update to his previous presentation at the Board Workshop session on October 20, 2011 regarding the CenterPoint Springwoods Project. In light of public concerns over the project, staff prepared a resolution for consideration by the Board that protests the placement of any of the project transmission lines in Montgomery County. Staff recommends consideration of proposed Segments "S", "T", and "V" to interconnect the selected Springwoods Substation site to the existing 138 kV transmission network. If the Board approves the resolution, it will be filed with the Public Utility Commission of Texas. Following Mr. McKinney's presentation, the Chair called for a motion and second on this item. Board discussion followed.

Roxanne Miller, resident of The Woodlands, provided public comment on this subject. Ms. Miller spoke on behalf of other individuals who have concerns about the CenterPoint Springwoods Project.

MOTION: Motion by Secretary Hunter to adopt the resolution as presented and direct staff to submit the resolution to the Public Utility Commission of Texas (PUCT) as the position of The Woodlands Township regarding the proposed CenterPoint Energy Springwoods Project. In addition, upon filing by CenterPoint for a project Certificate of Convenience and Necessity with the commission, approve staff to review the filing to determine if there is a need for the Township to intervene in the case before the PUCT. If Township intervention is recommended in the proceeding, authorize the Board Chairman and the Township President/General Manager to select and retain legal counsel, and intervene in the project proceeding before the commission, with a budget amount for intervention expenses not to exceed \$25,000; second by Vice Chairman Matthews and Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

The Executive Summaries for this item are attached hereto as Exhibit "G". The Resolution related to this item is attached hereto as Exhibit "H".

RECEIVE, CONSIDER AND ACT UPON A PRESENTATION AND DISCUSSION REGARDING THE WIDENING OF WOODLANDS PARKWAY:

Miles McKinney presented a summary of this item as provided in an Executive Summary. Mr. McKinney noted that public comments have focused primarily on the noise level increase that would occur with the widening of Woodlands Parkway and questions regarding what measures would be used to mitigate the noise.

Mr. McKinney also presented a PowerPoint presentation regarding highway traffic noise mitigation. The presentation reviewed the rules, regulations and laws that highway project noise mitigation projects are based upon. Board discussion followed.

Public comments were then received from the following individuals: Karl Collins, Rebekah Crawford and Tom Kohl. Jeff Nelson, Senator Williams' representative, was in attendance to observe and listen to resident concerns and then report back information to Senator Williams. Mr. Nelson was available to listen to constituent concerns following the meeting.

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Chairman Tough then reviewed various options that the Board could undertake in order to facilitate a resolution to the concerns expressed regarding the widening of Woodlands Parkway. Board discussion followed.

No Board action was taken on this item. It was the decision of the Board to include this item as an ongoing agenda item that will be brought back to the Board in November for consideration and action in the form of a resolution. Mr. McKinney was charged with drafting the resolution that would incorporate comments received from the Board and public.

The Executive Summary and PowerPoint presentation for this item are attached hereto as Exhibits "I" and "J", respectively.

RECEIVE, CONSIDER AND ACT UPON A PRESENTATION AND DISCUSSION OF A RESOLUTION FROM THE VILLAGE OF STERLING RIDGE REGARDING THE MITIGATION OF FM 2978 TRAFFIC NOISE IN THE MONTFAIR NEIGHBORHOOD;

Miles McKinney presented an overview of this item as provided in an Executive Summary. The Township Board reviewed a resolution that was passed by the Board of Directors of the Sterling Ridge Village Association. This resolution petitioned that The Woodlands Township Board of Directors work together with Montgomery County and The Woodlands Development Company to build a sound wall within a 70 foot open space reserve owned by the Township to mitigate traffic noise.

Public comment was then received. Nancy McGlothlin spoke on behalf of residents of the Montfair neighborhood in the village of Sterling Ridge. Board discussion followed.

Don Norrell provided comments on the next steps to be taken on this issue. No action was taken on this item. Mr. McKinney was directed to bring back recommendations and options for the Board to consider and act upon at its November meeting.

The Executive Summary for this item is attached hereto as Exhibit "K".

RECEIVE, CONSIDER AND ACT UPON APPROVAL TO IMMEDIATELY PURCHASE THE APPROVED 2012 CAPITAL PROJECT "BOOSTER TRUCK" FOR THE WOODLANDS FIRE DEPARTMENT;

No further discussion of this item was needed.

MOTION: Motion by Secretary Hunter to authorize the immediate purchase of the approved 2012 capital project "Booster Truck" for The Woodlands Fire Department; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

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Executive Summaries for this item are attached hereto collectively as Exhibit "L".

RECEIVE, CONSIDER AND ACT UPON A DROUGHT RESPONSE PRESENTATION FOR THE WOODLANDS TOWNSHIP AND RELATED BUDGET AMENDMENT FOR TREE REMOVAL;

John Powers provided information on this item as outlined in an Executive Summary. Using a PowerPoint presentation, Mr. Powers discussed current drought conditions, management techniques employed to date, future concerns and potential options, including community education and involvement and the budget impact on tree removal. Mr. Powers noted positive variances in other areas of the 2011 budget that will help offset projected unfavorable expense variances. Don Norrell commented that sales tax is also available to fund additional expenditures related to the drought. In January 2012, the Township will revisit potential options for consideration to determine whether more funds need to be provided for tree removal or irrigation. Board discussion followed.

MOTION: Motion by Director Hausman to approve the proposed drought response (continue current rate of tree removal) for The Woodlands Township and 2011 reallocation of funds as presented for tree removal; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

The Executive Summary and PowerPoint presentation are attached hereto as Exhibits "M" and "N", respectively.

RECEIVE, CONSIDER AND ACT UPON RENEWAL OF SERVICE AGREEMENT WITH THE CENTER FOR HOUSTON'S FUTURE;

An Executive Summary and handout material on this item were provided to the Board with no additional staff presentation necessary. Board discussion followed.

Chairman Tough informed the Board that Gil Staley, with the Economic Development Partnership, provided information about an opportunity for the Board to participate in a Center for Houston's Future event on Scenario 2040 that will be held in The Woodlands in January 2012.

MOTION: Motion by Secretary Hunter to approve renewal of a Service Agreement with The Center for Houston's Future; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell

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Nays: Director Hausman
Abstentions: None
Absent: None

ACTION: Motion passed (6-1).

The Executive Summary for this item is attached hereto as Exhibit "O".

RECEIVE, CONSIDER AND ACT UPON RENEWAL OF SERVICE AGREEMENT WITH THE WOODLANDS CONVENTION AND VISITORS BUREAU;

An Executive Summary was provided to the Board on this item with no additional staff presentation necessary. Board discussion followed.

MOTION: Motion by Director Blair to approve renewal of a Service Agreement with The Woodlands Convention and Visitors Bureau; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Hausman

Nays: Director Campbell

Abstentions: None

Absent: None

ACTION: Motion passed (6-1).

The Executive Summary for this item is attached hereto as Exhibit "P".

RECEIVE, CONSIDER AND ACT UPON RETIREMENT PLAN CHANGES;

An Executive Summary was provided to the Board on this item with no additional staff presentation necessary. Board discussion followed.

MOTION: Motion by Vice Chairman Matthews to approve the Board resolution regarding the plan-to-plan transfer of assets from The Woodlands Fire Department 401(k) Plan to The Woodlands Township 401(a) Plan; second by Secretary Hunter

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

The Executive Summary for this item is attached hereto as Exhibit "Q". The Resolution related to this item is attached hereto as Exhibit "R".

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RECEIVE, CONSIDER AND ACT UPON FINANCIAL ASSUMPTIONS TO BE USED IN FINANCIAL MODEL FOR THE GOVERNANCE PLANNING PROCESS;

An Executive Summary and Memo attachment from the Township's governance consultants, Partners for Strategic Action, were provided to the Board. Based on Board input at the October 20, 2011 work session, the consultants provided recommendations that will be addressed in an updated draft working paper of financial assumptions. No additional suggestions or revisions were received from the Board at the October 26, 2011 Board of Directors meeting. Board discussion followed.

MOTION: Motion by Vice Chairman Matthews to approve financial assumptions to be used in the financial model for the Governance Planning process; second by Director Blair

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

The Executive Summary and Memo attachment are attached hereto as Exhibit "S".

RECEIVE, CONSIDER AND ACT UPON ADOPTING A SUPPLEMENTAL ELECTION ORDER PROVIDING FOR THE TRANSLATION OF BALLOTS FOR USE IN THE HARRIS COUNTY PRECINCT OF THE TOWNSHIP INTO MANDARIN CHINESE;

Mike Page explained that the United States Department of Justice, based on the preliminary 2010 census for the Houston area, including the Harris County precinct area within Creekside Park of the Township, is requiring, under the Voting Rights Act, that ballots be translated into Mandarin Chinese in addition to Spanish and Vietnamese. Board discussion followed.

MOTION: Motion by Secretary Hunter to approve the adoption of a supplemental election order providing for the translation of ballots for use in the Harris County precinct of The Woodlands Township into Mandarin Chinese; second by Director Blair

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

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CLOSED MEETING (IF APPLICABLE):

RECESS TO EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO REAL PROPERTY PURSUANT TO §551.072, TEXAS GOVERNMENT CODE; DELIBERATION OF ECONOMIC DEVELOPMENT NEGOTIATIONS PURSUANT TO §551.087, DISCUSS PERSONNEL MATTERS PURSUANT TO §551.074; TEXAS GOVERNMENT CODE, AND TO CONSULT WITH THE WOODLANDS TOWNSHIP'S ATTORNEY CONCERNING PENDING LITIGATION PURSUANT TO §551.071. TEXAS GOVERNMENT CODE;

Chairman Tough announced that there was no need for Executive Session.

RECEIVE, CONSIDER AND ACT UPON AMENDMENT OF A LAND LEASE AGREEMENT BETWEEN THE WOODLANDS TOWNSHIP AND MONTGOMERY COUNTY IN REGARDS TO THE RE-CONSTRUCTION OF CENTRAL FIRE STATION;

This item was deferred until the November Board meetings.

DISCUSS FUTURE AGENDA/ANNOUNCEMENTS

CONSIDERATION OF ITEMS TO BE PLACED ON THE AGENDA FOR NEXT MONTH'S MEETING;

- Director Hausman requested that more bike racks be placed in areas around Town Center;
- Director Matthews requested that the Board discuss time considerations for meetings and requested an update on sports fields, including a plan and any action to be taken.

BOARD ANNOUNCEMENTS;

- Director Robb complimented all the public presenters for their excellent presentations and community involvement; made a public apology to Director Hausman; complimented Chairman Tough for his excellent handling of the Board meeting;
- Director Hunter commented that the two Waterway Cruisers that were sent out for repair work will be returned to The Woodlands on Friday, October 28, 2011.

PUBLIC COMMENT; AND

A resident asked if the minutes are published online and also wanted staff to see if they could get a 2004 state report on the expansion of Woodlands Parkway.

ADJOURNMENT:

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 9:15 p.m.

MOTION: Motion by Director Campbell to adjourn; second by Treasurer Robb

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Blair
 Director Campbell
 Director Hausman

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Nays: None

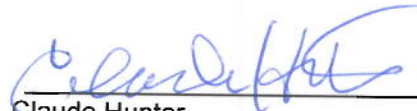
Abstentions: None

Absent: None

ACTION: Motion passed unanimously (7-0).

(SEAL)




Claude Hunter
Secretary, Board of Directors

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EXHIBIT OMISSIONS*

EXHIBIT "A"	EXHIBIT "K"
EXHIBIT "B"	EXHIBIT "L"
EXHIBIT "C"	EXHIBIT "M"
EXHIBIT "D"	EXHIBIT "N"
EXHIBIT "E"	EXHIBIT "O"
EXHIBIT "F"	EXHIBIT "P"
EXHIBIT "G"	EXHIBIT "Q"
EXHIBIT "H"	EXHIBIT "R"
EXHIBIT "I"	EXHIBIT "S"
EXHIBIT "J"	

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**